

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3048
)	
v.)	
)	MEMORANDUM AND ORDER
ANTHONY MULLINS,)	
)	
Defendant.)	

The defendant has filed a Motion to Investigate Release Proposal and Request for Hearing, (filing no. 21), asking the court to order pretrial services to investigate his proposal to move to Boons Mill, Virginia. The defendant explains his father recently died, leaving behind a family business, and the defendant wants to be involved in running that business.

Based on the information it currently possesses, Pretrial Services has advised the court as follows:

- 1) The defendant proposes to live with a brother, but this brother has joined the circus and currently has no telephone, which hinders pretrial services from investigating defendant's proposal;
- 2) The "family business" at issue may not be viable; defendant's father had little work and reportedly the business has been dormant for "at least the past several months."
- 3) The defendant's proposed residence has no phone, and electronic monitoring is therefore not an option. In addition, the defendant is not "really sure" who lives there other than his brother's wife, and the defendant is "not really sure what her name is."
- 4) The defendant lacks financial resources for transportation to and from Virginia other than what his wife/girlfriend receives for her disability.
- 5) The defendant had very limited contact with his father over the last 15 years, and has had limited contact with his brothers for several years.

These facts severely undermine the defendant's release proposal, and no further Pretrial Services investigation will be ordered at this time. However, the defendant may address the foregoing facts, and raise any additional arguments or facts in favor of his release proposal, following his plea hearing on October 6, 2010.

September 28, 2010.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge